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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,) No. 3:16-CR-00358-MMC
Plaintiff,)
v.)
IVAN ZARICH,) [PROPOSED] ORDER OF DETENTION PRIOR TO
Defendant.) TRIAL

The parties appeared before the Honorable Joseph C. Spero on August 23, 2016, for a detention hearing. The defendant was present and represented by defense counsel Richard Tamor. The government was represented by Assistant United States Attorney Jerome Mayer-Cantú. The government moved for detention, submitting that no condition or combination of conditions of release would reasonably assure the appearance of the defendant as required or the safety of the community.

The Court has considered the parties' proffers during the hearing, the defendant's past conduct and criminal record, the materials found during a search of the defendant's residence, the bail study, and the factors set forth in 18 U.S.C. § 3142(g). For the reasons stated on the record at the hearing, including consideration of the history and characteristics of the defendant and the nature and seriousness of the

1 danger posed to the community should the defendant be released prior to trial, the Court finds by clear
2 and convincing evidence that no condition or combination of conditions will reasonably assure the
3 safety of any other person or the community if the defendant were released.

4 Of particular concern is the defendant's 2012 conviction for exhibiting a deadly weapon, as the
5 police report suggests that he brandished a knife at a stranger. Of equal concern is his 2013 conviction
6 for unlawful possession of ammunition, as the police report suggests that he pointed a loaded gun at
7 another person. The facts of this case add to the Court's concern because the defendant allegedly pointed
8 a loaded firearm at two people that he thought were strangers. Moreover, the defendant is alleged to
9 have committed this crime while he was still on probation.

10 The Court therefore orders the defendant detained prior to trial in this matter. The defendant is
11 committed to the custody of the Attorney General or a designated representative for confinement in a
12 correctional facility. The defendant must be afforded a reasonable opportunity to consult privately with
13 counsel. On order of a court of the United States or on request of an attorney for the government, the
14 person in charge of the corrections facility must deliver the defendant to the United States Marshal for a
15 court appearance.

16 IT IS SO ORDERED.

17
18 DATED: August 24, 2016

